

Andrew P. Marks, Esq.  
Dorf Nelson & Zauderer LLP  
555 Theodore Fremd Avenue  
Rye, NY 10580  
Tel.: (914) 381-7600  
Fax: (914) 381-7608  
Email: [amarks@dorflaw.com](mailto:amarks@dorflaw.com)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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In Re:

Chapter 11

BLOCKFI INC., *et al.*,

Case No.: 22-19361(MBK)

Debtors.  
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**MATTHEW GORDON'S RESPONSE TO THE DEBTORS' AMENDED <sup>1</sup>  
ELEVENTH OMNIBUS OBJECTION TO CERTAIN CLAIMS**

I, Andrew P. Marks, Esq., being duly sworn, deposes and says:

1. I am a partner of Dorf Nelson & Zauderer LLP, attorneys for the creditor Matthew Gordon ("Gordon"), and as such, am familiar with the facts stated herein.

2. This affirmation is submitted in response to the Debtors' Eleventh Omnibus Objection to Certain Claims (Docket No. 1422) as amended by the Debtors' Amended Eleventh Omnibus Objection to Certain Claim (Docket No. 1450) to the extent it seeks to and modify and combine two Proofs of Claims filed by Gordon and to the extent the Debtors' motion also seeks to expunge third Proof of Claim that was a duplicate as more fully explained herein.

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<sup>1</sup> The Debtors in these Chapter 11 cases, are: BlockFi Inc.; BlockFi Trading LLC; BlockFi Lending LLC; BlockFi Wallet LLC; BlockFi Ventures LLC; BlockFi International Ltd.; BlockFi Investment Products LLC; BlockFi Services, Inc. and BlockFi Lending II LLC.

**Matthew Gordon's Proof of Claim for \$720,532.10 - Claim No. 15784, and  
Proof of Claim for \$118,321.12 - Claim No. 26889**

3. On March 30, 2023, Gordon submitted an Electronic Proof of Claim in the amount of \$720,532.10, Claim No. 15784, through the website of Kroll's Restructuring Administration (hereinafter "Kroll"), in connection with crypto currency deposited as collateral under Loan Agreement Dated October 24, 2022 (BlockFi Lending LLC, Case No. 22-19365). A copy of the Proof of Claim, Claim No. 15784, and supporting documentation that was filed is annexed hereto as collective **Exhibit 1.**<sup>2</sup>

4. On March 30, 2023, Gordon submitted an Electronic Proof of Claim in the amount of \$118,321.12, Claim No. 26889, through Kroll's website, in connection with crypto currency deposited as collateral under Loan Agreement Dated March 3, 2022 (BlockFi Lending LLC, Case No. 22-19365). A copy of the Proof of Claim, Claim No. 26889, and supporting documentation that was filed is annexed hereto as collective **Exhibit 2.**

5. It is Gordon's interpretation and understanding of the Debtors' instant application as it relates to him, that the Debtors seek to modify his Proof of Claim bearing Claim No. 15784 in the amount of \$720,532.10, and to modify his Proof of Claim in the amount of \$118,321.12, Claim No. 26889, solely by combining the two aforementioned claims so that the surviving claim will be the aggregate total amount of \$838,853.20 under Claim No. 15784. Provided that this is the correct interpretation and understanding of the modifications that the Debtors seek to make with respect to those two aforementioned claims, then Gordon has no objection to that relief.

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<sup>2</sup> All Exhibits have been redacted as to protected confidential information, and unredacted copies are available should the court so request.

**Gordon's Proof of Claim in the amount of \$13,788.59, Claim No. 23511**

6. On March 30, 2023, Gordon submitted an Electronic Proof of Claim in the amount of \$13,788.59, Claim No. 23511, through the Kroll's website, in connection with a BlockFi Interest Account (BlockFi Inc., Case No. 22-19361). A copy of the Proof of Claim, Claim No. 23511, and supporting documentation that was filed is annexed hereto as collective **Exhibit 3**.

7. On March 30, 2023, Gordon submitted a duplicate Electronic Proof of Claim in the amount of \$13,788.59, Claim No. 25045, which contains a Notation on the supporting documentation indicating that it is being submitted as a duplicate because he was uncertain which bankruptcy case it should be submitted under, which was submitted through Kroll's website, in connection with a BlockFi Interest Account (BlockFi Lending LLC, Case No. 22-19365). A copy of the Proof of Claim, Claim No. 25045, and supporting documentation that was filed is annexed hereto as collective **Exhibit 4**.

8. Gordon acknowledges that the duplicate claim should be expunged and has no opposition or objection to the Debtors' application to expunge Proof of Claim No. 25045, as the duplicate claim, provided that this claim is the correct claim to expunge, and which leaves intact and does not prejudice or modify the surviving claim of \$13,788.59 under Proof of Claim No. 23511. The Debtor has better information and is in a better position to determine than us with regarding to which claim is the correct claim, and if the Debtors are expunging one of the duplicate claims, the Debtors are making representations that they are expunging the incorrect claim.

9. Because the Debtors are in a better position to determine which claim is correct and which claim should be expunged, Gordon is relying on the representation of the Debtors in their motion that Proof of Claim No. 25045 is the correct duplicate proof of claim that should be

expunged, and the Debtors should be estopped from later claiming that they expunged the wrong one.

**WHEREFORE**, to the extent that Matthew Gordon has the correct understanding of the modifications being sought by the Debtors to his Proofs of Claims, he has no objection to the relief sought by the Debtors herein.

Dated: Rye, New York  
October 3, 2023

  

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Andrew P. Marks, Esq.